

CHENANGO COUNTY
WATER QUALITY COORDINATING COMMITTEE
 99 North Broad Street, Norwich, New York 13815 Tel. (607) 334-8634/4632

NOV 16 2010

MEMBERS:

CHENANGO COUNTY

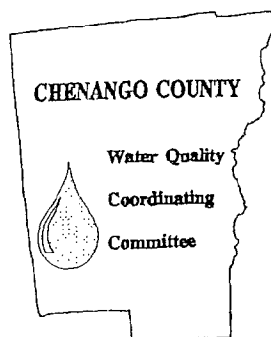
Emergency Mgt. Office
 Environmental Mgt. Council
 Dept. of Planning
 & Development
 Dept. of Public Health
 Highway Dept.
 Soil & Water Conservation
 District
 Cornell Cooperative
 Extension

NEW YORK STATE

Soil & Water Conservation
 Committee
 Dept. of Environ. Cons.,
 Division of Lands & Forests
 Rogers Environmental
 Education Center

U.S.D.A.

Farm Services Agency
 Natural Resources
 Conservation Service
 South Central New York
 Resource Conservation
 & Development Project



08 November 2010

The Honorable Lisa P. Jackson
 U.S. Environmental Protection Agency
 Ariel Rios Building
 1200 Pennsylvania Avenue, N.W.
 Washington, DC 20460

EPA Docket ID No. EPA-R03-OW-2010-0736

Dear Administrator Jackson:

On behalf of the Chenango County Water Quality Coordinating Committee (WQCC), I am corresponding with you in protest of the draft Chesapeake Bay Total Maximum Daily Load (TMDL) allocations as currently proposed. Further, the WQCC strongly encourages the US EPA to greatly decrease the targets reduction in nitrogen and phosphorous for New York State (NYS) to be more in line with reasonable efforts which do not impose draconian measures and penalties upon all aspects of the affected communities, especially agriculture.

Recent data at the Tonowanda, PA monitoring station indicates the flow of water essentially draining out of NYS via the Susquehanna River is by far currently the cleanest as compared to the other major river basins of the Chesapeake Bay. Calling for all states in the Bay to ratchet down proportionately disregards the principle of "diminishing returns". In effect, to make the waters significantly cleaner requires an inordinate amount of effort and money for very minimal benefit, again relative to the other states in the Bay. This approach seems to unfairly punish NYS for having the best water of the Bay at the beginning of the whole TMDL process.

Furthermore, the pollutant loading model which is driving much of the regulatory targets and tracking progress seems to have made many erroneous assumptions about the character of agriculture as is actually practiced in NYS as well as the attributes of the resource base. Until these premises are adjusted to be in line with reality, the output of the model is seriously flawed for this portion of the Bay.

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Please do not misconstrue these comments as obstruction in making further improvements in water quality for the Bay. However, we strongly feel obligations for such future gains should be plausibly attainable and balanced in light of progress made prior to the TMDL.

Please reference the enclosed two (2) resolutions regarding this proposed regulator action. One is from the WQCC and the other from the Chenango County Agricultural & Farmland Protection Board. We offer both this cover letter and the resolutions as official input during the public comment period closing later today.

Thank you for your attention and consideration in this matter.

Sincerely,



Robert DeClue
WQCC Chairman

enc: Chenango County Water Quality Coordinating Committee resolution on Chesapeake Bay
 proposed TMDL
 Chenango County Agricultural & Farmland Protection Board resolution on Chesapeake
 Bay proposed TMDL

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Chenango County Agricultural & Farmland Protection Board Resolution

A Resolution of the Chenango County Agricultural & Farmland Protection Board to call upon New York State Farm Bureau, New York State Department of Agriculture and Markets, and the New York State Soil and Water Conservation Committee, to work with the New York State Department of Environmental Conservation, and both State and Federally Elected Officials to pursue reasonable and obtainable nitrogen, phosphorous and sediment allocations in New York State for the pending Chesapeake Bay Watershed TMDL being promulgated by the US Environmental Protection Agency.

WHEREAS the Soil and Water Conservation Districts that comprise the Upper Susquehanna Coalition have worked diligently with the many county, state, federal, and private partners to cohesively integrate both agricultural and nonagricultural best management practices (BMPs) throughout New York State's portion of the Chesapeake Bay Watershed, and

WHEREAS the Upper Susquehanna Coalition and all of its partners look forward to building upon and enhancing its implementation throughout this watershed, and

WHEREAS both Cornell University (New York State's land grant university) and Cornell Cooperative Extension has and continues to conduct research on nutrient management and developed soil type correlated agronomic input recommendations and other tools which adequately factor in environmental risk to guide farmers and consultants on appropriate soil amendment applications, and

WHEREAS the farms located within New York State's portion of the Chesapeake Bay Watershed have consistently and voluntarily made a strong allocation to water quality improvement by the commitment of both time and monies through the New York State Agriculture and Markets, Agricultural Environmental Management Program, USDA Natural Resources Conservation Service, Farm Service Agency, and

WHEREAS the waters of New York that contribute to the Chesapeake Bay Watershed are of the highest water quality in entire Chesapeake Bay Watershed and

WHEREAS the proposed nutrient and sediment allocations for New York State have been determined by New York State's conservation professionals to not only be unobtainable as proposed but would also have a catastrophically negative impact on the agricultural community of the Chesapeake Bay Watershed of New York and

NOW THEREFORE BE IT RESOLVED that the Chenango County Agricultural & Farmland Protection Board call upon the New York State Farm Bureau, New York State Department of Agriculture and Markets, and the New York State Soil and Water Conservation Committee to pursue talks with the New York State Department of Environmental Conservation, along with State and Federally elected officials and the US Environmental Protection Agency to ensure reasonable and obtainable nitrogen, phosphorous and sediment allocations in New York State for the impending Chesapeake Bay Watershed Total Maximum Daily Load (TMDL).

Adopted at the regular monthly meeting of the Chenango County Agricultural & Farmland Protection Board on Friday, 15 October 2010.



Donald Franklin, Chairman
Chenango County Agricultural & Farmland Protection Board

Chenango County WQCC Resolution

A Resolution of the Chenango County Water Quality Coordinating Committee to call upon New York State Farm Bureau, New York State Department of Agriculture and Markets, and the New York State Soil and Water Conservation Committee, to work with the New York State Department of Environmental Conservation, and both State and Federally Elected Officials to pursue reasonable and obtainable nitrogen, phosphorous and sediment allocations in New York State for the pending Chesapeake Bay Watershed TMDL.

WHEREAS the Soil and Water Conservation Districts that comprise the Upper Susquehanna Coalition have worked diligently with the many county, state, federal, and private partners to cohesively integrate both agricultural and nonagricultural best management practices (BMPs) throughout New York State's portion of the Chesapeake Bay Watershed, and

WHEREAS the Upper Susquehanna Coalition and all of its partners look forward to building upon and enhancing its implementation throughout this watershed, and

WHEREAS the farms located within New York State's portion of the Chesapeake Bay Watershed have consistently and voluntarily made a strong allocation to water quality improvement by the commitment of both time and monies through the New York State Agriculture and Markets, Agricultural Environmental Management Program, USDA Natural Resources Conservation Service, Farm Service Agency, and

WHEREAS the waters of New York that contribute to the Chesapeake Bay Watershed are of the highest water quality in entire Chesapeake Bay Watershed and

WHEREAS the proposed nutrient and sediment allocations for New York State have been determined by New York State's conservation professionals to not only be unobtainable as proposed but would also have a catastrophically negative impact on the agricultural community of the Chesapeake Bay Watershed of New York and

NOW THEREFORE BE IT RESOLVED that the Chenango County Water Quality Coordinating Committee call upon the New York State Farm Bureau, New York State Department of Agriculture and Markets, and the New York State Soil and Water Conservation Committee to pursue talks with the New York State Department of Environmental Conservation, along with State and Federally elected officials to ensure reasonable and obtainable nitrogen, phosphorous and sediment allocations in New York State for the impending Chesapeake Bay Watershed Total Maximum Daily Load (TMDL).

Adopted at the regular monthly meeting of the Chenango County Water Quality Coordinating Committee on Thursday, 07 October 2010, by a 4-0 vote of its members.


 Robert J. DeClue, Chairman
 Chenango County Water Quality Coordinating Committee